59

Public Records, Open Meetings. Legislative Constitutional Amendment.

MAKE YOUR HEAR

Quick Reference Pullout Guide

Take it with you to the Polls!

Election Day November 2, 2004

Summary

Amends Constitution to include public's right of access to meetings of government bodies and writings of government officials. Preserves specified constitutional rights; retains existing exclusions for certain meetings and records. Fiscal Impact: Potential minor annual state and local government costs to make additional information available to the public.

What Your Vote Means

A YES vote on this measure means: Californians would have a constitutional right of access to government information. A government entity would have to demonstrate to a somewhat greater extent why information requested by the public should be kept pri-

A NO vote on this measure means: Access to government information would continue to be governed by existing

Arguments

California's government—all three branches, statewide and local-should be as transparent as possible to the public it asks for funding, power, and trust. But too often officials and judges choose secrecy over disclosure. Proposition 59 would make transparency a constitutional duty owed to the people, to whom officials are accountable.

The press and public must, indeed, have access to the workings of state and local governments to help ensure accountability; however, the question is whether Propostion 59 goes far enough in guaranteeing that critical

For Additional Information

For

Terry Francke Californians Aware 2218 Homewood Way Carmichael, CA 95608 916-487-7000 terry@calaware.org www.prop59.org

Against

Gary B. Wesley Attorney at Law 707 Continental Circle Mountain View, CA 94040 408-882-5070



Election Rights of Political Parties. Legislative Constitutional Amendment.

Summary

Requires general election ballot include candidate receiving most votes among candidates of same party for partisan office in primary election. Fiscal Impact: No fiscal effect.

What Your Vote Means

Yes

A YES vote on this measure means: The State Constitution would require that the top vote-getter from each party in a state primary election advance to the general election. (The current statutory elections process has this requirement.)

No

A **NO** vote on this measure means: No provisions would be added to the State Constitution regarding state primary elections.

Arguments

Pro

Proposition 60 guarantees full, free, and open debate in elections. PROPOSITION 60 PRESERVES VOTER CHOICE and protects your right to select political party nominees for public office in direct primary elections. Proposition 60 gives you the right to choose from all parties and different points of view in general elections.

Con

Proposition 60 does not go far enough. It leaves the door open to possible future tinkering with our election system.

For Additional Information

For

Yes on 60—Committee to Preserve Voter Choice 1127 11th Street, Suite 950 Sacramento, CA 95814 916-443-5900 www.Yeson60.com

Against

No contact information available.

60A

Surplus Property. Legislative Constitutional Amendment.

Summary

Sale proceeds of most surplus state property pay off specified bonds. Fiscal Impact: Net savings over the longer term—potentially low tens of millions of dollars—from accelerated repayment of existing bonds.

What Your Vote Means

Yes

A YES vote on this measure means: The state would be required to use any revenues from the sale of surplus property to accelerate the repayment of some existing bonds.

No

A **NO** vote on this measure means: The state would not be required to use revenues from the sale of surplus property to accelerate the repayment of some existing bonds.

Arguments

Pro

Cor

Proposition 60A does not go far enough. While it earmarks the proceeds of sale of surplus property to pay off bonds, it doesn't mandate sales.

For Additional Information

For

No contact information available.

Against

No contact information available.



Children's Hospital Projects. Grant Program. Bond Act. Initiative Statute.

Summary

Authorizes \$750 million general obligation bonds for grants to eligible children's hospitals for construction, expansion, remodeling, renovation, furnishing and equipping children's hospitals. Fiscal Impact: State cost of about \$1.5 billion over 30 years to pay off both the principal (\$750 million) and interest (\$756 million) costs of the bonds. Payments of about \$50 million per year.

What Your Vote Means

A YES vote on this measure means: The state could sell \$750 million in general obligation bonds for the construction, expansion, remodeling, renovation, furnishing, equipping, financing, or refinancing of children's hospitals.

A NO vote on this measure means: The state would not sell the \$750 million in general obligation bonds proposed for these purposes.

Arguments

Everyday, California's Children's Hospitals save lives. Children with leukemia, cancer, cystic fibrosis, and heart disease. 80% of children with leukemia are making it. 90% are coming through delicate heart surgery. Proposition 61 doesn't raise taxes. It does give the sickest kids in California the best care on earth.

Rebuilding a few children's hospitals will make some building contractors richer; however, it will not, by itself, provide health care for anyone. What we need—in and across California America—is some sort of "sin-gle-payer" health care system which cuts out the middlemen and profiteers.

For Additional Information

For

Charity Bracy California Children's Hospitals Association 3914 Murphy Canyon Road, Suite 125 San Diego, CA 92123 858-974-1644 cbracy@ccha.org www.ŚaveTheChildrens Hospitals.com

Against

Gary B. Wesley Attorney at Law 707 Continental Circle Mountain View, CA 94040 408-882-5070

62

Elections. Primaries. Initiative Constitutional Amendment and Statute.

Summary

Requires primary elections where voters may vote for any state or federal candidate regardless of party registration of voter or candidate. The two primary-election candidates receiving most votes for an office, whether they are candidates with "no party" or members of same or different party, would be listed on general election ballot. Exempts presidential nominations. Fiscal Impact: No significant net fiscal effect on state and local govern-

What Your Vote Means

A YES vote on this measure means: All voters would receive the same primary election ballot for most state and federal offices. The top two vote-getting candidates—regardless of political party identification-would be placed on the general election ballot.

A NO vote on this measure means: Voters would continue to receive primary election ballots based on political party identification. The top vote-getting candidate from each political party would be placed on the general election ballot.

Arguments

Pro

The Voter Choice Primary Initiative allows every voter including independent voters—to vote for the best candidate for office, regardless of party, in primary elections. It is similar to the method Californians have used for the past century to elect mayors, council members, county supervisors, and district attorneys.

Con

Proposition 62 is based on Louisiana's radical election system. There, it helped KKK leader David Duke run for Governor. It:

- ELIMINATES VOTER CHOICE in General Elections
- UNDERCUTS opportunities for WOMEN and MINORITY candidates
- Makes the Legislature LESS ACCOUNTABLE Don't bring Louisiana's dirty politics to Čalifornia! Vote NO!

For Additional Information

For

Californians for an Open Primary 4150 Riverside Drive, Suite 204 Burbank, CA 91505 818-843-1487 info@openprimary.org www.openprimary.org

Against

Greg Hill Californians for Election Accountability 921 11th Street, Suite 400 Sacramento, CA 95814 info@NOon62.com www.NOon62.com

63

Mental Health Services Expansion, Funding. Tax on Personal Incomes Above \$1 Million. Initiative Statute.

Summary

Establishes 1% tax on taxable personal income above \$1 million to fund expanded health services for mentally ill children, adults, seniors. Fiscal Impact: Additional state revenues of about \$800 million annually by 2006–07, with comparable annual increases in total state and county expenditures for expansion of mental health programs. Unknown partially offsetting savings to state and local agencies.

What Your Vote Means

Yes

A YES vote on this measure means: A surcharge on state personal income taxes would be enacted for taxpayers with annual taxable incomes of more than \$1 million to finance an expansion of county mental health programs.

No

A NO vote on this measure means: Funding for county mental health programs would largely be dependent upon actions by the Legislature and Governor.

Arguments

Pro

Proposition 63 expands mental health care for children and adults, using programs proven to be effective. Paid for by 1% tax on taxable personal income over \$1 million. Requires strict financial accountability. Supported by nurses, mental health professionals, law enforcement, educators. Let's stop neglecting mental illness. Vote YES on Proposition 63.

Con

Prop. 63 is a false promise. It doesn't treat the mentally ill, but is a *shortsighted substitute* for long-term solutions. Built on a shaky funding scheme, 63 drives away *the very taxpayers it needs*, destroying its own funding source. Don't jeopardize the health of thousands with a feel-good plan.

For Additional Information

For

Rusty Selix Campaign for Mental Health 1127 11th Street, #925 Sacramento, CA 95814 916-557-1166 info@YESon63.org www.YESon63.org

Against

Citizens for a Healthy California 400 Capitol Mall, Suite 1560 Sacramento, CA 95814 916-491-1726 www.HealthyCalifornia.org

64

Limits on Private Enforcement of Unfair Business Competition Laws. Initiative Statute.

Summary

Allows individual or class action "unfair business" lawsuits only if actual loss suffered; only government officials may enforce these laws on public's behalf. Fiscal Impact: Unknown state fiscal impact depending on whether the measure increases or decreases court workload and the extent to which diverted funds are replaced. Unknown potential costs to local governments, depending on the extent to which diverted funds are replaced.

What Your Vote Means

Yes

A YES vote on this measure means: Except for the Attorney General and local public prosecutors, no person could bring a lawsuit for unfair competition unless the person has suffered injury and lost money or property. Also, except for the Attorney General and local public prosecutors, a person pursuing such claims on behalf of others would have to meet the additional requirements of class action lawsuits.

Nο

A **NO** vote on this measure means: A person could bring a lawsuit under the unfair competition law without having suffered injury or lost money or property. Also, a person could bring such a lawsuit without meeting the additional requirements of class action lawsuits.

Arguments

Pro

Proposition 64 closes a loophole allowing lawyers to file frivolous shakedown lawsuits against small businesses. Proposition 64 stops lawyers from pocketing most of the settlements from these bogus lawsuits. Don't be mislead by the trial lawyers' smokescreen: 64 doesn't change any of California's consumer or environmental laws! Yes on 64.

Con

Newspaper headlines warn: "Consumers lose if initiative succeeds." The LA Times reports Proposition 64 "would weaken a state law that allows private groups and government prosecutors to sue businesses for polluting the environment and for engaging in misleading advertising and other unfair business practices . . . the current law would be drastically curtailed."

For Additional Information

For

Yes on 64—Californians to Stop Shakedown Lawsuits 3001 Douglas Blvd., Suite 225 Roseville, CA 95661 916-766-5595 info@yeson64.org www.yeson64.org

Against

Consumer Watchdog 1750 Ocean Park Blvd., Suite 200 Santa Monica, CA 90405 310-392-0708 NoOnProp64@consumer watchdog.org www.NoOnProp64.org

Pursuant to statute, Proposition 65 will appear in a Supplemental Voter Information Guide.

66

Limitations on "Three Strikes" Law. Sex Crimes. Punishment. Initiative Statute.

Summary

Limits "Three Strikes" law to violent and/or serious felonies. Permits limited re-sentencing under new definitions. Increases punishment for specified sex crimes against children. Fiscal Împact: Over the long run, net state savings of up to several hundred million dollars annually, primarily to the prison system; local jail and court-related costs of potentially more than ten million dollars annually.

What Your Vote Means

A YES vote on this measure means: The current "Three Strikes" sentencing law would be amended to require that a second and third strike offense be a serious or violent felony, instead of any felony, in order for the longer sentences required under Three Strikes to apply. The state would be required to resentence "third strikers" whose third strike was nonviolent and nonserious. In addition, prison sentences for specified sex offenses against children would be lengthened.

A NO vote on this measure means: Current sentencing law would remain in effect, requiring offenders with one or more prior convictions for serious or violent felonies to receive longer sentences for the conviction of any new felony (not just a serious or violent felony). In addition, prison sentences for certain sex offenses against children would remain unchanged.

Arguments

PROPOSITION 66 RESTORES THREE STRIKES TO ITS ORIGINAL INTENT—ensuring criminals currently serving time for violent offenses are kept in prison, SAVING TAXPAYERS BILLIONS OF DOLLARS currently wasted imprisoning shoplifters and other nonviolent, petty offenders for life. PRÓPOSITION 66 PROTECTS CHILDREN WITH TOUGHER 1-STRIKE SENTENCES FOR CHILD MOLESTERS. YES ON PROPOSITION 66.

Proposition 66 is opposed by Governor Schwarzenegger, the Attorney General, all 58 District Attorneys, the state's leading law enforcement, taxpayer, and child protection groups. Costs millions and threatens public safety by creating a legal loophole that could release an estimated 26,000 convicted felons including rapists, child molesters, and murderers. www.Keep3Strikes.org

For Additional Information

For

Jim Benson Citizens Against Violent Crime 1625 E. 17th Street, #105 Santa Ana, CA 92705 1-866-3STRIKES cavcjim@sbcglobal.net www.voteyeson66.org

Against

Californians United for Public Safety campaign3@Keep3Strikes.org www.noProp66.org



Emergency Medical Services. Funding. Telephone Surcharge. Initiative Constitutional Amendment and Statute.

Summary

Increases telephone surcharge and allocates other funds for emergency room physicians, hospital emergency rooms, community clinics, emergency personnel training/equipment, and 911 telephone system. Fiscal Impact: Increased state revenues of about \$500 million annually to reimburse physicians and hospitals for uncompensated emergency medical services and other specified purposes. Continues \$32 million in state funding for physicians and clinics for uncompensated medical

What Your Vote Means

Yes

A YES vote on this measure means: The state would impose a 3 percent emergency telephone surcharge, in addition to the existing surcharge, on bills for telephone services for calls made within the state. These revenues would be used to provide additional funds to reimburse physicians and hospitals for uncompensated emergency and trauma care and to fund other specified programs.

No

A NO vote on this measure means: The emergency telephone number surcharge would continue to be limited to 0.75 percent on bills for telephone services for calls made within the state. Additional funding to reimburse physicians and hospitals for uncompensated emergency and trauma care, or for other specified programs, would continue to depend largely upon action by the Legislature and Governor.

Arguments

Pro

FIREFIGHTERS, PARAMEDICS, DOCTORS, AND NURSES SAY: PROP. 67 will make sure emergency medical care is available when you and your family need it most. Emergency rooms are closing. Others are severely overcrowded. Paramedics, emergency room doctors, and nurses are overwhelmed. SAVE EMERGENCY CARE. SAVE LIVES. YES ON PROP. 67.

Con

Prop. 67 is a \$540 million phone tax—a tax on talking. There's no cap on cell phone or business phone taxes. More than 1 million seniors will be affected. 90% of the money goes to large health care corporations and special interests—with no mandatory audits or financial controls.

For Additional Information

For

Coalition to Preserve Emergency Care, sponsored by firefighters, paramedics, doctors, nurses, and healthcare providers —Yes on 67 191 Ridgeway Avenue Oakland, CA 94611 650-306-0495 info@saveemergencycare.org

www.saveemergencycare.org

Against

No on 67—Californians to Stop the Phone Tax 916-930-0688 www.stopthephonetax.com 68

Non-Tribal Commercial Gambling Expansion. Tribal Gaming Compact Amendments. Revenues, Tax Exemptions. Initiative Constitutional Amendment and Statute.

Summary

Authorizes tribal compact amendments. Unless tribes accept, authorizes casino gaming for sixteen non-tribal establishments. Percentage of gaming revenues fund government services. Fiscal Impact: Increased gambling revenues—potentially over \$1 billion annually—primarily to local governments for additional specified services. Depending on outcome of tribal negotiations, potential loss of state revenues totaling hundreds of millions of dollars annually.

What Your Vote Means

Yes

A YES vote on this measure means: Slot machines would be authorized at 16 specific racetracks and card rooms, unless all Indian tribes with existing tribal-state gambling compacts agree to certain terms within 90 days. Under either scenario, local governments throughout the state would receive new gambling revenues, to be used primarily for additional child protective, police, and firefighting services.

Nο

A **NO** vote on this measure means: Slot machines would not be authorized at racetracks and card rooms. Indian tribes would continue to be subject to current tribal-state gambling compacts. Local governments would not receive new gambling revenues.

Arguments

Pro

Proposition 68 means California's immensely profitable Indian Casinos should pay their fair share to support local services. Indian Casinos choose to make a 25% contribution and live by the same regulations that affect us all or the state will authorize limited competition with an even bigger return to communities.

Con

Beware: Their "fair share" claim is a scam. 68 lets its FUNDERS—RACETRACKS and CARD CLUBS—operate LAS VEGAS-SIZED CASINOS throughout California—NEAR FREEWAYS and 200 SCHOOLS. MORE TRAFFIC. MORE CRIME. ANOTHER BROKEN PROMISE TO INDIANS. Governor Schwarzenegger, firefighters, sheriffs, police, tribes, taxpayers, labor, educators say: "NO on 68!"

For Additional Information

For

Sheriff Lee Baca and Sheriff Lou Blanas A Fair Share for California 1717 I Street Sacramento, CA 95814 916-551-2538 info@fairshareforcalifornia.org www.fairshareforcalifornia.org

Against

No on 68: Californians Against the Deceptive Gambling Proposition 11300 W. Olympic Blvd., Suite 840 Los Angeles, CA 90064 800-420-8202 info@Stop68.com www.Stop68.com



DNA Samples. Collection. Database. Funding. Initiative Statute.

Summary

Requires collection of DNA samples from all felons, and from others arrested for or charged with specified crimes, and submission to state DNA database. Provides for funding. Fiscal Impact: Net state cost to process DNA samples of potentially nearly \$20 million annually when costs are fully realized. Local costs likely more than fully offset by revenues, with the additional revenues available for other DNA-related activities.

What Your Vote Means

A **YES** vote on this measure means: The state would expand the collection of DNA samples to include all convicted felons, and some convicted nonfelons, as well as individuals arrested for certain offenses. Criminal penalties would increase to fund the expansion of DNA collection.

A NO vote on this measure means: DNA samples would continue to be required only from persons convicted of serious felony offenses. Criminal penalties would not increase.

Arguments

Requiring convicted felons and arrestees for rape/murder to submit DNA, Proposition 69 helps solve crime, prevents false imprisonment, and stops serial rapists/killers. 69 brings California law enforcement up to par with 34 states. Governor Schwarzenegger, Attorney General Lockyer, law enforcement, defense attorneys, and victims' groups say vote yes!

Proposition 69 will not make you safer, but could trap your DNA in a criminal database. 69 treats thousands of Californians that are never charged with a crime just like the guilty. 69 risks your most sensitive, private information—your DNA. Protect your privacy. No on 69! See www.protectmyDNA.com

For Additional Information

For

Beth Pendexter Californians for the DNA Fingerprint—Yes on 69 925 L Street, Suite 1275 Sacramento, CA 95814 916-448-5802 info@dnayes.org www.dnayes.org

Against

Beth Givens 3100 5th Avenue, Suite B San Diego, CA 92103 415-621-1192 info@protectmyDNA.com www.protectmyDNA.com

Tribal Gaming Compacts. Exclusive Gaming Rights. Contributions to State. Initiative Constitutional Amendment and Statute.

Summary

Upon tribe's request, Governor must execute 99-year compact. Tribes contribute percentage of net gaming income to state funds, in exchange for expanded, exclusive tribal casino gaming. Fiscal Impact: Unknown effect on payments to the state from Indian tribes. The potential increase or decrease in these payments could be in the tens of millions to over a hundred million dollars annually.

What Your Vote Means

A **YES** vote on this measure means: Tribes entering a new or amended tribal-state gambling compact would make payments to the state based on their gambling income. These compacts would last 99 years and place no limits on the types or number of casino games.

A NO vote on this measure means: Tribes would continue to be subject to existing tribalstate gambling compacts, which require various types of payments to the state. Existing compacts will last up to 26 more years and place some limits on the types and number of casino games.

Arguments

Proposition 70 will provide billions of dollars to the State and will restrict tribal gambling to Indian reservations. Both the taxpayers and Indians win: Tribes pay the same amount as every other business pays in state income taxes; in return, they can operate their casinos. That's only fair!

PROPOSITION 70 IS A BAD DEAL FOR CALIFORNIA. Governor Schwarzenegger's negotiated agreements with Indian gaming tribes guarantee they pay their fair share and respect California laws. Proposition 70 effectively destroys these agreements. Join Governor Schwarzenegger, law enforcement, labor, environmental groups, and seniors in voting NO on Proposition 70.

For Additional Information

For

Gene Raper Citizens for a Fair Share of **Indian Gaming Revenues** P.O. Box 1863 Sacramento, CA 95812 760-778-7413 raper@indianfairshare.com www.indianfairshare.com

Against

No on Propositions 68 and 70—Governor Schwarzenegger's Committee for Fair Share **Gaming Agreements** 1415 L Street, Suite 1245 Sacramento, CA 95814 916-440-1505 info@no68and70.org www.no68and70.org



Stem Cell Research. Funding. **Bonds. Initiative Constitutional** Amendment and Statute.

Summary

This measure establishes "California Institute for Regenerative Medicine" to regulate and fund stem cell research, constitutional right to conduct such research, and oversight committee. Prohibits funding of human reproductive cloning research. Fiscal Impact: State cost of about \$6 billion over 30 years to pay off both the principal (\$3 billion) and interest (\$3 billion) on the bonds. State payments averaging about \$200 million per

What Your Vote Means

A **YES** vote on this measure means: The state would establish a new state medical research institute and authorize the issuance of \$3 billion in state general obligation bonds to provide funding for stem cell research and research facilities in California.

A NO vote on this measure means: Funding for stem cell research in California would depend upon actions by the Legislature and Governor and other entities which provide research funding.

Arguments

71 authorizes stem cell research to find new CURES FOR CAN-CER. HEART DISEASE, DIA-BETES, and many other diseases, SAVE MILLIONS OF LIVES, and CUT HEALTH CARE COSTS BY BILLIONS. And, 71 prohibits cloning to create babies. Join non-profit disease organizations, Nobel Prize scientists, doctors, and nurses: Vote YES on 71.

Adds \$3 billion of bond debt to California's massive debt load. Money would fund huge, new bureaucracy to promote human embryo cloning. Few controls, no real accountability for how money is spent. Exempts new bureaucracy from aspects of "open meeting" laws. Opposed by women's groups, leading doctors, and medical ethicists.

For Additional Information

For

YES on 71: Coalition for Stem Cell Research and Cures 11271 Ventura Blvd. Studio City, CA 91604 800-931-CÚRE (2873) info@YESon71.com www.YESon71.com

Against

Doctors, Patients, and Taxpayers for Fiscal Responsibility P.O. Box 2402 Covina, CA 91722 www.NoOn71.com

Health Care Coverage Requirements. Referendum.

Summary

A "Yes" vote approves, and a "No" vote rejects legislation requiring health care coverage for employees, as specified, working for large and medium employers. Fiscal Impact: Significant expenditures fully offset, mainly by employer fees, for a state program primarily to purchase private health insurance coverage. Significant county health program savings. Significant public employer health coverage costs. Significant net state revenue losses. Overall unknown net state and local savings or

What Your Vote Means

A YES vote on this measure means: Certain employers would be required to provide health coverage for their employees and in some cases dependents through either (1) paying a fee to a new state program primarily to purchase private health insurance coverage or (2) arranging directly with health insurance providers for health care coverage. The state would also establish a new program to assist lower-income employees to pay their share of health care premiums.

A NO vote on this measure means: The state would continue to allow employers to choose whether to provide health insurance for their employees and dependents. The state would not establish a new program to provide assistance to low-income employees in paying premiums for health care coverage at their workplace.

Arguments

Prop. 72 keeps private health coverage within reach of working families. It requires large and mid-sized companies to pay for private coverage, caps employee share of premiums, and sets coverage standards. Doctors, nurses, and consumers agree: With premiums rising and employees losing health insurance, Prop. 72 provides needed protection.

Proposition 72 creates a government-run healthcare scheme funded by an estimated \$7 billion in new taxes on employers and workers by 2007. You could get forced from your existing plan into the government system and lose access to your doctors and hospitals. Educators, charities, taxpayers, doctors say "NO on 72."

For Additional Information

For

Anthony Wright Health Access 1127 11th Street Sacramento, CA 95814 916-442-2308 awright@health-access.org www.YesonProp72.com

Against

Californians Against Government Run Healthcare 1201 K Street, Suite 1100 Sacramento, CA 95814-3938 info@noprop72.org www.noprop72.org